

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

GREGORY COLBURN et al.,

Defendants

No. 1:19-CR-10080-NMG

**DEFENDANTS' MOTION FOR CONTINUING OBJECTION**

Defendants Gamal Abdelaziz and John Wilson (collectively “Defendants”) respectfully request that the Court treat certain objections as described below as continuing in nature.

Defendants expect that certain evidentiary disputes which have come before the Court *in limine* will arise during trial with respect to witnesses’ testimony. Rather than objecting each time such an issue arises, Defendants wish to streamline the process by objecting when the issue first arises, and to then request a continuing objection. A continuing objection will obviate the need to make the same objection repeatedly and greatly facilitate a smooth, uninterrupted presentation of evidence.

Defendants specifically request a continuing objection with respect to the following:

- Defendants object on hearsay, relevancy, and prejudice grounds to the introduction of any statements (including written and oral statements) of any of Rick Singer’s other clients, such as Bruce and Davina Isackson, as well as any other alleged co-conspirators. As to hearsay, the government is unable to meet its burden to show a single conspiracy.
- Defendant Abdelaziz objects on hearsay, relevancy, and prejudice grounds to the introduction of any statements (including written and oral statements) of John Wilson.

- Defendant John Wilson objects on hearsay, relevancy, and prejudice grounds to the introduction of any statements (including written and oral statements) of Abdelaziz.
- Defendants object to any evidence of other clients' "understanding" of Rick Singer's business or arrangements on hearsay, relevance, and prejudice grounds.
- Defendants object to the introduction of any wiretaps without the testimony of Mr. Singer, as the introduction of such evidence violates the Confrontation Clause.
- Defendants object to the introduction of any recordings "consensually" recorded because the recordings violate the wiretap statute and because the consent form signed by Mr. Singer was invalid and the Court has not held a hearing on the issue of implied consent.
- Defendants object to the introduction of evidence concerning or derived from marital privileged communications and the fruits of the seizure of marital communications, because such evidence is barred by the marital communications privilege.
- Defendants object to the introduction of evidence of Defendants' wealth on relevance and prejudice grounds.
- Defendants object to the introduction of evidence on private school tuition payments to Loyola School on the basis of hearsay, relevance, and prejudice.
- Defendants object to the introduction of evidence or reference to Donna Heinel personally receiving money from Rick Singer on hearsay, relevance and prejudice grounds, because this "side deal" was a separate conspiracy.

Because Defendants anticipate that these issues will arise frequently during the government's presentation of evidence, a continuing objection is necessary to maintain an efficient and streamlined presentation. For the reasons explained above, Defendants respectfully request that the Court grant them a continuing objection with respect to all issues identified.

Dated: September 12, 2021

Respectfully submitted,

GAMAL ABDELAZIZ

By his attorneys,

/s/ Brian T. Kelly

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed electronically on September 12, 2021, and thereby delivered by electronic means to all registered participants as identified on the Notice of Electronic Filing.

/s/ Brian T. Kelly  
Brian T. Kelly